

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION AT TOLEDO**

COMPUTER PROGRAMMING
UNLIMITED INC.,

Plaintiff,

V.

HARTFORD CASUALTY INSURANCE
COMPANY,

Defendant.

CASE NO. 3:21-cv-2350

JUDGE _____

(Removed from the Lucas County Court
of Common Pleas, Case No. G-4801-CI-
0202103413-000)

**DEFENDANT HARTFORD CASUALTY INSURANCE COMPANY'S
NOTICE OF REMOVAL**

Pursuant to 28 U.S.C. §§ 1332, 1441 and 1446, defendant Hartford Casualty Insurance Company (“Hartford”), by and through the undersigned counsel, respectfully gives notice of the removal of the above-captioned case from the Court of Common Pleas, Lucas County, Ohio, Case No. G-4801-CI-0202103413-000, to the United States District Court for the Northern District of Ohio, Western Division, at Toledo, on the following grounds:

1. On or about October 28, 2021, plaintiff Computer Programming Unlimited Inc. (“CPU”) filed a complaint in the Court of Common Pleas, Lucas County, Ohio, Case No. G-4801-CI-0202103413-000 (the “CPU complaint”).
2. Defendant Hartford first received a copy of the CPU complaint and summons via certified mail on November 19, 2021.
3. The above-captioned case is a civil action brought by CPU in connection with an insurance claim denied under a business owner’s policy. Hartford is alleged to be the issuer of the

insurance policy.

4. This Court has jurisdiction over this civil action based on diversity of citizenship jurisdiction pursuant to 28 U.S.C. § 1332, and this action may be removed to this Court pursuant to 28 U.S.C. § 1441(a) because:

a. This action involves a controversy arising between citizens of different states. As reflected on the face of the complaint:

(i) Plaintiff CPU, is now, and/or was at the time of the commencement of this action, an Ohio corporation with its principal place of business in the State of Ohio.

(ii) Defendant Hartford is now, and was at the time of the commencement of this action, an Indiana corporation with its principal place of business in the State of Connecticut.

b. The amount in controversy in this action exceeds the sum of Seventy-Five Thousand Dollars (\$75,000.00), exclusive of interest and costs, as reflected, inter alia, in the letter correspondence dated January 25, 2021 from CPU's counsel.

5. Accordingly, this action is removable to this Court pursuant to 28 U.S.C. § 1441(a).

6. This Notice of Removal is filed within thirty (30) days after receipt by Hartford of papers—specifically, the complaint seeking alleged damages—from which it could first be ascertained that the case is one which is or has become removable, pursuant to 28 U.S.C. § 1446(b)(1) & (3), and within one (1) year after commencement of this action, pursuant to 28 U.S.C. § 1446(c)(1).

7. Lucas County, Ohio, is within the territorial jurisdiction of the United States

District Court for the Northern District of Ohio, Western Division at Toledo.

8. Pursuant to 28 U.S.C. § 1446(a), this Notice of Removal includes a short and plain statement of the grounds for removal together with a copy of all process, pleadings, and orders served upon Hartford in this action.

9. Pursuant to 28 U.S.C. § 1446(d), Hartford has served, or will promptly serve, written notice of the filing of this Notice of Removal upon all parties to this action, and will file a copy of the Notice of Removal, along with a Notice of Filing of Notice of Removal, in the Court of Common Pleas, Lucas County, Ohio, Case No. G-4801-CI-0202103413-000. A copy of the Notice of Filing of Notice of Removal (without exhibits) is attached as Exhibit A.

10. Copies of the pleadings, process, orders, and all other papers served upon Hartford in this action are attached as Exhibit B.

11. In the event CPU seeks to remand this case, or the Court considers remand sua sponte, Hartford respectfully requests the opportunity to submit such additional argument or evidence in support of removal as may be necessary.

WHEREFORE, Hartford requests that the action pending against it in the Court of Common Pleas, Lucas County, Ohio, Case No. G-4801-CI-0202103413-000 be removed to the United States District Court for the Northern District of Ohio, Western Division at Toledo, and that this Court assume jurisdiction of the matter pursuant to diversity of citizenship jurisdiction of this Court.

Respectfully submitted,

/s/ Katheryn M. Lloyd

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Attorneys for Defendant

Hartford Casualty Insurance Company

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Defendant Hartford Casualty Insurance Company's Notice Of Removal was uploaded to the Court's electronic filing system this 16th day of December, 2021, which will cause service upon the following:

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/s/ Katheryn M. Lloyd
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